

BRIAN SANDOVAL
Governor

STATE OF NEVADA



REPLY TO:

Southern Nevada
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

www.nscb.nv.gov

Northern Nevada
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

MEMBERS
Jan B. Leggett, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Kent Lay
Guy M. Wells

STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
December 16, 2015**

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, December 16, 2015, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Noah Allison, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on December 10, 2015, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: NOAH ALLISON, ESQ.

1. DISCIPLINARY HEARING:

RAYMOND MATHEW ELLWANGER, OWNER, dba HOME INNOVATIONS, License No. 67302

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated November 2, 2015.

Exhibit B – Respondent's letter to the Board dated December 15, 2015.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1)

violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$500.00 each for the Second, Fourth and Fifth Causes of Action; a fine of \$50.00 for the Third Cause Action for total fines of \$2,550.00 and investigative costs of \$1,827.00. Respondent's license shall remain suspended until a current compliant financial statement with bank verification form for all cash accounts that supports the license limit is provided to the Board. All fines and investigative costs are to be paid within sixty (60) days of the December 16, 2015 hearing or license number 67302, Raymond Mathew Ellwanger, Owner, dba Home Innovations shall be suspended. This matter was continued to February 17, 2016.

2. DISCIPLINARY HEARING:

A. A. C. A., LLC, dba MR. ROOTER PLUMBING, License No. 73696

Licensee was not present but was represented by R. Duane Frizell, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated December 1, 2015 and Respondent's Exhibit List A – J dated December 3, 2015.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State. Respondent was assessed a fine of \$5,000.00 for the First and investigative costs of \$1,968.00. The Second Cause of Action was dismissed. All fines and investigative costs are to be paid within thirty (30) days of the December 16, 2015 hearing or license number 73696, A. A. C. A., LLC, dba Mr. Rooter Plumbing shall be suspended.

3. DISCIPLINARY HEARING:

JERSEY ELECTRIC, dba JERSEY ELECTRIC & SOLAR, License No. 52193

BEE GREEN ENERGY, LLC, License Nos. 78089, 78239

Licensees were not present but were represented by Brian Pezzillo, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint November 12, 2015.

Exhibit B – Respondent's bankruptcy Transcript of Settlement Conference dated November 3, 2015.

Upon the Stipulation of the parties, ALJ Allison found Respondent Jersey Electric & Solar guilty of one (1) violation NRS 624.3013(5), as set forth in NRS 624.263(3)(a)(b) failure to notify the Board of a filing of bankruptcy. The Second and Third Causes of Action were dismissed. Respondent Jersey Electric & Solar was found in violation of the First Cause of Action; however fines and investigative costs were not assessed due to Respondent Jersey Electric & Solar's Chapter 11 bankruptcy filing.

4. DISCIPLINARY HEARING:

BEE GREEN ENERGY, LLC, License Nos. 78089, 78239

JERSEY ELECTRIC, dba JERSEY ELECTRIC & SOLAR, License No. 52193

Licensees were not present but were represented by Brian Pezzillo, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A –

Upon the Stipulation of the parties, ALJ Allison found Respondent Bee Green Energy, LLC guilty of one (1) violation NRS 624.30165(2) making false or misleading statements of material fact that is intended to induce another person to use the services of the contractor; one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent Bee Green Energy, LLC was assessed a fine of \$250.00 for the First Cause of Action; a fine \$500.00 each for the Second and Fifth Causes of Action; a fine \$50.00 for the Fourth Cause of Action for total fines of \$1,300.00 and investigative costs of \$2,066.00. License number 78089, Bee Green Energy, LLC was suspended until a current compliant financial statement with bank verification form for all cash accounts that supports the license limit is provided to the Board. Brian Nelson Geczi shall be removed as the Qualified Individual on license number 78089, Bee Green Energy, LLC. All fines and investigative costs are to be paid within sixty (60) days of the December 16, 2015 hearing or license number 78089, Bee Green Energy, LLC shall be suspended.

5. DISCIPLINARY HEARING:

WARNER ELECTRIC TECHNOLOGIES, LLC, dba DR. SHOCK ELECTRIC, License No. 56286

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's request for a hearing dated October 13, 2015.

ALJ Allison dismissed the Board's Complaint against Warner Electric Technologies, LLC, dba Dr. Shock Electric.

6. DISCIPLINARY HEARINGS:

ROBERT CLIFFORD FINLEY, OWNER, dba FINLEY ELECTRIC SERVICES, License No. 57936

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent’s Answer to the Board’s Complaint dated October 26, 2015.

ALJ Allison found Respondent guilty of one (1) violation NRS 624.3012(2) failure to pay any money when due; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 each for the First, Second and Third Causes of Action for total fines of \$3,000.00 and investigative costs of \$1,608.00. License number 57936, Robert Clifford Finley, Owner, dba Finley Electric Services shall be revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 9 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer

Noah Allison, Esq., Administrative Law Judge